vss

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CONTEMPT PETITION NO.137 OF 2005

L.Shiva Reddy ... Petitioner

V/s.

The Municipal Corporation
of Gr. Mumbai & anr. ... Respondents

Mr.S.P. Srivastava for Petitioner
Mr.A.J. Bhor for Respondents

CORAM: **SMT.NISHITA MHATRE, J.**

DATED: **OCTOBER 7, 2005**

P.C.:

. This Petition complains of the Municipal Corporation taking action against the Petitioner and removing his structure, inspite of the Petitioner giving an undertaking to the effect that he would shift his business from the suit premises as and when he receives a letter from the office of the Respondent directing him to do so. The petitioner complains that the structure has now been removed and therefore, the respondents have committed contempt of Court. In my view, the action of the respondent- Corporation does not amount to contempt. The Petitioner has recourse to other remedies in law if he is aggrieved by any action of the respondent in removing his structure. There was no undertaking given

nor was any direction issued to the Corporation in the matter. No case for contempt has been made out. Petition is rejected.